

FARMINGTON CITY
PLANNING COMMISSION MEETING
March 3, 2016

STUDY SESSION

***Present:** Chair Rebecca Wayment, Commissioners Heather Barnum, Bret Gallacher and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Commissioners Connie Deianni, Kent Hinckley and Alex Leeman were excused.*

Item #3. Jerry Preston – Requesting Preliminary Plat Approval for the Residence at Farmington Hills (P.U.D) Subdivision

Eric Anderson said this item was previously tabled as the Commission was waiting to review the borings results. The borings have now been completed; GeoStrata provided the results which has been included in the staff report. He said the City's third party consultant at AGECE reviewed the results and feels the geotech study is "adequate," and those few remaining items to be addressed will be completed at the next step through the improvement drawings. **Eric Anderson** said Conditions 8 and 9 have been included to the motion which requires the applicant to follow all recommendations provided in the geotech reports. **Eric Anderson** also said a condition needs to be added that lots 1-5 are dependent on the buildable area increasing because trenching will take place as a result of additional fault exploration. The commissioners discussed the trenching in more detail and suggested adding lot 13 to the condition as well.

Rebecca Wayment asked staff for clarification on AGECE's use of the word "adequate." She is concerned that "adequate" could simply mean "adequate" or that is AGECE's way of stating they are in support of the development. **Bret Gallacher** said he feels engineers must still protect themselves so using a term like adequate may be as good of a review as the City may obtain. **Eric Anderson** agreed; he feels the term adequate is like a "thumbs up" from AGECE. **Cam Preston**, applicant Jerry Preston's son, stated he works for Ensign Engineers. He said engineers' fees are so low; however, their liability in a lawsuit is exponentially more. He said when he personally reviews items, he uses vague terminology to limit his liability exposure. He feels AGECE's use of adequate is their way of endorsing the development. Staff agreed; they agreed that they feel geotech engineers are purposefully vague to limit liability, and they also see the use of "adequate" to mean approval for the development from AGECE.

The Commissioners and staff discussed the non-buildable lots in more detail. Staff explained the need for additional trenching. **Cam Preston** also explained that plans have been based on an aerial view on a map; however, once actual surveying takes place, actual lines can be drawn. **Eric Anderson** stated that these small movements are typically finalized during the improvement drawings on Final Plat. **David Petersen** provided suggested wording for the additional condition; he will read it onto record during the Regular Session.

Rebecca Wayment asked for clarification on whether this item was or was not a public hearing as it was her understanding that it was supposed to be a public hearing based on the discussion at the last Planning Commission meeting. The commissioners and staff reviewed the previous minutes. The motion for this item during the previous Planning Commission meeting called for an additional public hearing once the borings report was received and reviewed. Staff explained this item was not posted

for public comment so a public hearing cannot be held during the meeting tonight. The commissioners and staff reviewed the dates of the next Planning Commission and City Council meetings. **David Petersen** said the City Council will meet on March 15th, but then won't meet again until April 19th. The commissioners feel it may be appropriate to hold a special Planning Commission meeting on March 10th. The commissioners feel an exception can be made as the City erroneously did not post the public hearing.

Item #4. Lew Swain - Requesting Final Plat Approval for the Oakwood Estates Phase VIII Conservation Subdivision Consisting of 1 lot

Eric Anderson said this item is very straightforward. It is a one lot subdivision. All improvements have been completed by previous subdivisions and lot lines have already been defined.

Item #5. Jerry Preston - Requesting a Recommendation for Plat Amendment Approval to Combine One Unsubdivided Parcel and Three Subdivided Lots into Two Platted Lots

David Petersen said applicant **Jerry Preston** is proposing that he take 3 platted lots and a parcel and combine them to make 2 total lots. He said the project is very straightforward, except there is a remnant piece of land that is owned by James B. Kennard that was illegally subdivided at some point. **Cam Preston** explained how they think the remnant piece of land was subdivided; he also stated he feels Mr. Kennard may not know he owns the remnant piece of property. He said they are working with him to resolve the issue. **Heather Barnum** asked about the access to the lots. **Cam Preston** said they will have a shared driveway. **David Petersen** said if the Planning Commission recommends approval and the City Council approves the plat amendment, the applicant will need to return for approval on the shared driveway. At this point, the Planning Commission cannot act on the shared driveway until the City Council has approved this item.

REGULAR SESSION

***Present:** Chair Rebecca Wayment, Commissioners Heather Barnum, Bret Gallacher and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Commissioners Connie Deianni, Kent Hinckley and Alex Leeman were excused.*

Item #1. Minutes

Heather Barnum made a motion to approve the Minutes from the February 4, 2016 Planning Commission meeting. **Dan Rogers** seconded the motion which was unanimously approved.

Item #2. City Council Report

Eric Anderson said there have been two City Council meetings since the last time the Planning Commission had met. The omnibus zone text change was approved by City Council at the February 16, 2016 meeting. He also said there were no planning related items on the agenda at the March 1, 2016 City Council meeting. **David Petersen** added that during the March 1st City Council meeting, presentations for years of dedicated service were given for George Chipman, former chair of the Trails Committee and Alyssa Revell, former chair of the Historic Preservation Committee. He said they both served multiple years in their respective roles and will be missed.

SUBDIVISION APPLICATIONS

Item #3. Jerry Preston – Applicant is requesting preliminary plat approval for the Residence at Farmington Hills (P.U.D) Subdivision consisting of 23 lots on 44.3 acres located at approximately 300 East between 100 and 400 North in an LR-F (Large Residential - Foothill) zone. (S-8-15)

Rebecca Wayment stated that this item was discussed during the Study Session. There was an error with the posting of the public hearing so the Planning Commission will not consider it at this time, but will move it to a later date to ensure the posting of the public hearing is completed. **Heather Barnum** added that the Planning Commission plans to hold a special meeting to vote on this item to ensure the item makes the March 15, 2016 City Council meeting. The commissioners felt a special meeting was appropriate as the public hearing posting was an error on the City's part and not the fault of the developer.

Motion:

Heather Barnum made a motion that the Planning Commission table Item #3 until a special Planning Commission meeting can be held with the intent to hold a public hearing that's been properly noticed. **Dan Rogers** seconded the motion which was unanimously approved.

Item #4. Lew Swain – Applicant is requesting final plat approval for the Oakwood Estates Phase VIII Conservation Subdivision consisting of 1 lot on .57 acres located at approximately 479 W. Oak Wood Circle in an LR-F (Large Residential – Foothill) zone. (S-2-16)

Eric Anderson said this is a very straightforward subdivision. It is a one lot subdivision; all boundary lines have already been defined by previous phases and all system improvements and roads are already in place. Staff is recommending approval of this item.

The applicant was not present in the meeting.

Motion:

Bret Gallacher made a motion that the Planning Commission approve the proposed final plat for the Oakwood Estates Phase VIII subject to all applicable Farmington City ordinances and development standards. **Heather Barnum** seconded the motion which was unanimously approved.

Item #5. Jerry Preston – Applicant is requesting a recommendation for plat amendment approval to combine one unsubdivided parcel and three subdivided lots into two platted lots in the Sunset Hills Subdivision Number 2 Second Amendment consisting of 3.85 acres located at 9 S. Sunset Drive in an LR-F (Large Residential – Foothill) zone. (S-5-16)

Eric Anderson said there are currently 3 platted lots in the Sunset Hills Subdivision Number 2 and one unplatted parcel. The applicant would like to combine the 3 lots and parcel to make 2 platted lots. The one issue is a remnant piece of property that is owned by James B Kennard. Staff believes this parcel was illegally subdivided at some point in time, but that the issue will need to be resolved prior to recordation. Staff is recommending approval of this item.

Dan Rogers asked for further clarification on the remnant piece of property. **Eric Anderson** said the piece of property must be resolved in order to record the plats properly; a condition has been

included to the motion to ensure that will be completed. **David Petersen** said the applicant has options as to ways to address it so it should be done easily prior to recordation.

Cam Preston, 14 Camden Way, representative for the applicant Jerry Preston, said the existing lots are too narrow to build. On lot 201, they have the building permit and have begun building; however, a condition to final occupancy is amending the 3 platted lots and parcel to 2 platted lots. He said they are working to resolve the remnant piece of property; it should be completed soon.

Heather Barnum asked the applicant if she heard him correctly that they have begun building on one of the lots prior to a final decision by the Planning Commission. **Cam Preston** said yes, they have begun building on Lot 19, but the home will span across lots 19 and 20, which will later become lot 201.

Motion:

Dan Rogers made a motion that the Planning Commission recommend that the City Council approve the plat amendment for Sunset Hills Conservation Subdivision Number 2 Second Amendment subject to all applicable Farmington City ordinances and development standards, and the following condition: the applicant shall resolve the remnant parcel created by a previous illegal subdivision (parcel ID number 070380026) prior to City Council consideration per Section 12-7-030(7). **Heather Barnum** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed plat amendment meets the requirements of the subdivision and zoning ordinance.
2. The affected subdivision has already installed all required improvements.
3. The proposed plat amendment is decreasing density because it is combining 4 parcels into 2 lots.

GENERAL PLAN AMENDMENT

Item #6. Farmington City (Public Hearing) – Applicant is requesting a recommendation for approval of an amendment to the General Plan adopting the Farmington Active Transportation Plan. (MP-1-16)

Eric Anderson said the Kaysville City Planner approached Farmington City to apply for the Wasatch Front Regional Council's (WFRC) grant program. Farmington and Kaysville were awarded the matching grant, totaling \$50,000 of which WFRC paid half, and each city contributed a quarter each, or \$12,500. The City sent out a Request for Pool Letter of Qualifications to 7 firms and received 4 proposals back. Alta Planning was selected as they were able to best meet all the tasks and deliverables the City requested. A steering committee was created and comprised of Farmington and Kaysville citizens, local bike shops, the County Health Department, the County, UDOT and other stake holders that would be influential in guiding the document. This committee met once a month and was very instrumental in the final development of this plan.

David Petersen reviewed each chapter of the Farmington Active Transportation Plan with the Commission as included in the staff report. He said there are many benefits of the Active Transportation Plan, including design guidelines. The City has design guidelines for roads, ramps, etc.; however, the City has never had similar guidelines for pedestrian and bicycle use until now.

David Petersen said based on a well-attended open house, surveys and public comments received, the City put together its priority projects list which was also included in the staff report. He reviewed this list with the commissioners.

David Petersen said staff is recommending that the Planning Commission recommend approval of this item.

Rebecca Wayment opened the public hearing at 7:39 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 7:39 p.m.

Heather Barnum pointed out that although there was not any public comment, there has been a large amount of public comment throughout the creation of this Active Transportation Plan.

Rebecca Wayment said she feels this plan will be a great asset to the City. She said in her experience, one of the biggest complaints that developers have with adding a bike lane is the loss of developable land. She is concerned on how the follow through of the priority project lists will take place knowing this concern. **Eric Anderson** said Alta was very context sensitive to this issue. He said Alta only recommended bike lane additions where the City has the right-of-way (ROW). If the City does not have the ROW, it was proposed as a shared bike lane. **Eric Anderson** said in circumstances where the City requested additions after the funding has been completed, having a general plan in place helps with the approval process.

Heather Barnum said she has been surprised on how low transit use is within the City. She wondered how it compares to other cities similar in size. **David Petersen** said he is not sure how Farmington compares to others. He also said he is unsure how the Front Runner is doing, but the UTA's bus routes within the City are being actively used based on the UTA's reports. **Heather Barnum** said based on the community feedback, more access to transit was requested, but she didn't see that directly addressed within the plan. **Eric Anderson** explained that many of the projects on the priority list increase access to Park Lane, which will greatly increase access to Front Runner.

Heather Barnum said she feels this is a great plan, but also fills a big need within the City. **Dan Rogers** agreed; he feels the plan will be very useful for the City.

Motion:

Heather Barnum made a motion that the Planning Commission recommend that the City Council amend the General Plan adopting the enclosed Farmington Active Transportation Plan as an element of its General Plan, subject to all applicable Farmington City ordinances. **Dan Rogers** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed active transportation plan will help guide the City in the future towards developing roads and infrastructure for alternative means of transportation.
2. The proposed active transportation plan will better situate the city in locating and acquiring funding sources for bike and pedestrian paths and infrastructure.
3. The proposed active transportation plan will guide and inform the City in future decisions regarding all modes of transportation.

4. By codifying the Farmington Active Transportation Plan and adopting it as part of the General Plan, the City is setting a standard, being proactive, and making a commitment to active transportation, which is growing in popularity and being demanded at ever increasing levels.

CONDITIONAL USE PERMIT

Item #7. James Taylor (Public Hearing) – Applicant is requesting conditional use permit approval for a height increase for an accessory structure (detached garage) located at 83 East 600 North in an OTR-F (Original Townsite Residential - Foothill) zone. (C-4-16)

Eric Anderson said the applicant wants to build a 2 story garage that is 17 ½' in height. **Eric Anderson** read Section 11-17-050(1) and 11-17-070(4)(d) which states an accessory building shall not exceed 15' in height unless conditional use approval is granted and must be subordinate in area and height to the home. The applicant is requesting an additional 2 ½' in height. Also, **Eric Anderson** said the proposed garage will be located on the applicant's lot to the north which he also owns. He said the issue can easily be resolved with a boundary adjustment prior to the conditional use permit going into effect. He said Condition #2 addresses that issue. Staff is recommending approval of this item.

Jim Taylor, 83 E. 600 N., said he would like to install solar panels on his home; however, he feels the panels would not look good on his home. He decided to build a detached garage with a south facing roof so the panels could be installed on it. He said he believes in old-town Farmington and maintaining the ambiance of it. He ensured the garage would look nice and will match his home. He said only one neighbor would be affected, but they are in support of it as he will have to remove some trees upon construction which will provide more light for their garden.

Rebecca Wayment asked the applicant how high the roofline is on his home and if the proposed detached garage is subordinate to it. **Jim Taylor** said his home is 3 stories high with a very high pitch. The detached garage is subordinate and it will set back far back from the street.

Rebecca Wayment opened the public hearing at 8:00 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 8:00 p.m.

Eric Anderson said there is a provision within the ordinance that states the proposed garage must be compatible to the other garages within the neighborhood. He said he did a loose survey of the existing garages; there was a wide variety of materials used including siding, brick, etc. He feels the most important thing with the proposed garage is that it matches the applicant's log home.

Motion:

Bret Gallacher made a motion that the Planning Commission approve the conditional use permit subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited a building permit subject to all applicable building codes;

2. The applicant shall adjust the northern boundary for the subject property to bring the proposed accessory structure into compliance with all Farmington City ordinances either through a boundary adjustment or through the recordation of the Taylor Subdivision;
3. The final determination of whether the proposed structure is consistent and compatible with the existing garages in the area, as outlined in Section 11-17-050(4)(d) of the Zoning Ordinance, shall be deferred to staff.

Dan Rogers seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
2. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
4. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.

Item #8. Matthew Cooper/Challenger School (Public Hearing) – Applicant is requesting conditional use permit approval for a small portable classroom for their existing school located at 1089 N. Shepard Creek Parkway in an R-4 (Multi Family Residential) zone. (C-6-16)

Eric Anderson said the school came to the City asking for the ability to use a small portable classroom. He said after reviewing the ordinance, staff felt it would be wise to go through the conditional use process (although it is not really a temporary use) as a way to notify neighbors if they have any concerns with this addition. **Eric Anderson** said the school is wanting to expand to include first and second grade classes thus the need for the portable classroom. He said the school hopes to build an extension to the school for further growth. Staff is recommending approval.

Heather Barnum asked why the Challenger school is located within a residential community; she stated these schools are technically businesses, do not have certified teachers, and should be located within a commercial zone. **David Petersen** said this school is located within the R-4 zone which allows for private schools. He said the City regards Challenger as a private school. He added that the R-4 zone also allows for office buildings so it is not a pure multi-family zone.

Matt Cooper, representative for Challenger School, said Challenger is a non-profit organization, a licensed school, and has been in operation for over 50 years. He said they have 25 campuses over 5 states with schools from preschool up to 8th grade. He said the Farmington location was meant to be a feeder campus that would include pre-kindergarten, kindergarten and 1st grade. **Matt Cooper** said parents have requested additional grades be added to this location as many parents choose not to commute to the Salt Lake City location their child's completion of the 1st grade. He said they will continue to add an additional grade each year so within a few full school years, the build out will have taken place. He requested the conditional use permit for three years or for a two year period that runs with the traditional school year. **Matt Cooper** also added that Challenger has purchased the lot to the north. Once the demand is shown and funding is in place, an expansion to the school may be considered.

Rebecca Wayment asked why this item is a conditional use permit as the applicant will have to return once the item expires. **Matt Cooper** said it is likely that the demand for the grades will be there; however, if it is not, the portable classroom can be removed.

Dan Rogers asked if the applicant would prefer 3 years for the conditional use permit expiration. **Matt Cooper** said yes, he prefers 3 years; however, the alternative of 2 school years would also be acceptable.

Rebecca Wayment opened the public hearing at 8:18 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 8:18 p.m.

David Petersen recommended that the Planning Commission give the applicant 3 years as often building plans take longer than expected.

Motion:

Dan Rogers made a motion that the Planning Commission approve the conditional use permit subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
2. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
3. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes;
4. The conditional use permit is temporary, and shall expire in three years from the beginning of the school year, or on September 1, 2019.

Bret Gallacher seconded the motion. The motion was approved by **Bret Gallacher, Dan Rogers, and Rebecca Wayment**. **Heather Barnum** abstained from voting on this item.

Findings for Approval:

1. The proposed use of the particular location is desirable and provides a service which contributes to the general well-being of the community.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.

6. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
7. All improvements are already installed for this site and the applicant has been operating the existing school for several years and has proven to be a compatible fit for the neighborhood.

Item #9. Andrew Hogan (Public Hearing) – Applicant is requesting conditional use approval for a home occupation (swimming lessons for approximately 12 pupils at a time) to be held at 528 South 200 East in an LR (Large Residential) zone. (C-2-16)

Eric Anderson said the application is seeking a home occupation to allow his daughter to teach swim lessons to 8 or more people, but less than 16. He added that there is on street parking on 200 East and the applicant has a large driveway that could also accommodate several additional cars.

The applicant was not present at this time.

Rebecca Wayment opened the public hearing at 8:24 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 8:24 p.m.

Dan Rogers asked if there was a hedge surrounding the pool. **David Petersen** said building permit requirements require a fence to be built around the pool which has already taken place.

Rebecca Wayment said she feels having the hours of operation open until 10 p.m. seems too late. **Heather Barnum** suggested approving the hours of operation from 10 a.m. to 2 p.m., which is the times the applicant stated lessons will be held. **Dan Rogers** suggested 8 a.m. to 5 p.m. to allow the home owner more flexibility.

Motion:

Heather Barnum made a motion that the Planning Commission approve the conditional use permit subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
2. The hours of operation are limited to 8 a.m. to 5 p.m.;
3. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
4. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes;
5. No more than 16 students are allowed to be instructed at any given time.

Bret Gallacher seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
6. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
7. There is ample parking on-site as the driveway is large and provides ample room for cars to enter 200 East facing forward.

OTHER BUSINESS

Item #10. Miscellaneous a) Dennis Greenhalgh – Applicant is requesting to place a detached accessory building (pool house) in his side yard located at 741 S. Country Lane in an AE – PUD (Agriculture Estates – Planned Unit Development) zone.

Eric Anderson said the applicant was previously before the Commission for approval of a pool; the applicant is now requesting approval to build a pool house to service the pool. **David Petersen** explained the pool, and the proposed pool house, are in the side yard due to the large gas easement that covers his backyard. As a result, everything must be put in his side yard, which takes Planning Commission approval.

Dennis Greenhalgh, 747 Country Lane, said the pool house will be more like a shed as there will not be any plumbing or HVAC in it. The pool house will include one side for mechanical equipment and the other side will be for pool toys. He said the pool house will mirror the home with a rock veneer and hardy board of the same color. He said they will have trees surrounding it as well.

Rebecca Wayment said she feels the proposed pool house looks great. She said she often gets nervous about proposals in side yards; however, she feels this will add value as it looks very nice.

Rebecca Wayment opened the public hearing at 8:35 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 8:35 p.m.

Bret Gallacher feels this proposal has been well thought out and is in favor of it. The commissioners agreed.

Motion:

Bret Gallacher made a motion that the Planning Commission approve the detached accessory building placement in the side yard of the applicant's property, subject to all applicable Farmington City

ordinances and development standards. **Dan Rogers** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed structure conforms to the goals, policies, and principles of the Comprehensive General Plan.
2. The proposed structure is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
4. The proposed structure is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
5. All requirements as set forth in Section 11-10-040(8)(c) will be met during the building permit review process, including applicable setbacks, required separation from the main building, etc.

Item #10. Miscellaneous b) Farmington City (Public Hearing) – Applicant is requesting a recommendation to repeal Chapter 9 of the Subdivision Ordinance regarding development fees and to establish the same information contained therein by ordinance.

David Petersen said the City Attorney advised the City that the impact fees should be a free standing ordinance and should not be included in the Subdivision Ordinance. **David Petersen** said the City is requesting this item be repealed and then adopted word for word as a free standing ordinance.

Rebecca Wayment opened the public hearing at 8:40 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 8:40 p.m.

Motion:

Dan Rogers made a motion that the Planning Commission recommend the City Council repeal Chapter 9 of Title 12 and re-adopt it by ordinance to contain the same language as now constituted. **Heather Barnum** seconded the motion which was unanimously approved.

Finding:

This action is more consistent with State Law because impact fees are not governed by LUDMA, but a different section of the State Code.

ADJOURNMENT

Motion:

At 8:42 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.


Rebecca Wayment
Chair, Farmington City Planning Commission